



Preserving America's Heritage

EI - 2508

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August 21, 2006

Ms. Victoria Rutson  
Chief, Section of Environmental Analysis  
Office of Economics, Environmental Analysis  
and Administration  
Surface Transportation Board  
1925 K Street., NW.  
Washington, DC 20423

Ref: *Construction and Operation – Rail Line between Levan and Salina, Utah  
Sanpete, Sevier, and Juan Counties, Utah  
STB Finance Docket No. 34075, Six County Association of Governments*

Dear Ms. Rutson:

The Advisory Council on Historic Preservation (ACHP) has received your notification that the subject undertaking will adversely affect historic properties listed in or eligible for listing in the National Register of Historic Places. In order to apply Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), a Federal agency must submit to the ACHP the documentation specified at 36 CFR 800.11(e). After receipt of STB's initial notification and abbreviated documentation, we contacted STB staff to request additional information. We subsequently received the full copy of the Section 106 report and site forms for our review.

A review of that additional information, however, revealed that STB needs to clarify several issues before the ACHP can make a decision regarding our participation in the consultation for this undertaking. Accordingly, we request that STB respond to the following questions, which are related to the planning and coordination of this undertaking:

- How has STB been consulting with Indian tribes that may attach religious and cultural significance to historic properties that may be affected by the undertaking? Has STB conducted this consultation respecting the government-to-government relationship among the Indian tribes and the Federal government?
- Have the Indian tribes assisted in the identification of any historic properties to which they attach religious and cultural significance that may be affected by the undertaking?
- How does the APE for the undertaking take into account the potential indirect and cumulative effects on historic properties of the undertaking, which differs in its nature from a railroad abandonment project?

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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- Has STB made a “reasonable good faith effort” to identify historic properties that may be indirectly or cumulatively affected by the undertaking?
- What comments regarding the identification of historic properties or the assessment of adverse effects have been provided by the consulting parties and/or the public?
- What is the plan to involve the public? How has the public been involved to date?

Upon receipt of STB’s responses to these questions, we will notify you within 15 days of our decision as to whether or not the ACHP will participate in the consultation to resolve adverse effects for this undertaking. If you have any questions or require the further assistance of the Council, please contact me by phone at (202) 606-8520 or by e-mail at [kharris@achp.gov](mailto:kharris@achp.gov).

Sincerely,

A handwritten signature in cursive script that reads "Katry Harris".

Katry Harris  
Historic Preservation Specialist  
Office of Federal Agency Programs